

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

JERRY WILLIAMS

PLAINTIFF

V.

CIVIL ACTION NO.1:05CV111-MPM-JAD

LADDIE HUFFMAN

DEFENDANT

**FINAL JUDGMENT**

On consideration of the file and records in this action, pursuant to 28 U.S.C. §636(b)(1)(B), an evidentiary hearing having been conducted on May 8, 2003, by the Magistrate Judge pursuant to 28 U.S.C. §636(b)(1)(B), and Spears v. McCotter, 766 F.2d 179 (5 Cir. 1985), the Court finds that the Report and Recommendation of the United States Magistrate Judge dated December 1, 2005, was on that date duly served by first class mail upon plaintiff; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by said party. The Court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

**ORDERED:**

1. That the Report and Recommendation of the United States Magistrate Judge dated December 1, 2005 be, and it is hereby, approved and adopted, and that the proposed findings of fact and conclusions of law therein set out be, and they are hereby, adopted as the findings of fact and conclusions of law of the Court.

2. That this case be and hereby is **dismissed without prejudice.**

THIS, the 11<sup>th</sup> day of January, 2006.

/s/ Michael P. Mills  
UNITED STATES DISTRICT JUDGE